



27 FEB 2006

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Thomas E. Ciotti
Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, CA 94304-1018

In re Application of
OFFORD

Application No.: 10/534,547

PCT No.: PCT/US03/34435

Int. Filing Date: 29 October 2003

Priority Date: 05 November 2002

Atty Docket No.: 400752003100

For: ODOR-ABSORBING CELLULOSIC
FIBROUS SUBSTRATES

DECISION ON PETITION

UNDER 37 CFR 1.181

This decision is in response to applicant's "Communication" filed 13 February 2006 in the United States Patent and Trademark Office (USPTO). The communication is being treated as a petition under 37 CFR 1.181. No petition fee is required.

BACKGROUND

On 21 November 2005, applicant was mailed a decision granting applicant's petition to revive the present U.S. National stage application.

On 05 December 2005, applicant was mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) informing applicant of the need to provide an executed oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was given two months to respond and advised that this time period could be extended with a proper petition and payment of fees.

On 13 February 2006, applicant filed the present petition indicating that a declaration of the inventor and revocation and power of attorney had been filed on 23 November 2005.

DISCUSSION

Applicant has provided a legible copy of the receipt postcard which shows a USPTO date stamp, "IAP3 Rec'd PCT/PTO 23 NOV 2005" and clearly identifies in part: "Oath or declaration of the inventor(s) (1 page), Revocation of Power of Attorney With New Power of Attorney (1 Page)" as well as listing the inventor, serial number, title and attorney docket number. The evidence is sufficient to establish that the executed declaration and revocation of power of attorney were received in the USPTO on 23 November 2005. Applicant has certified that the

presently filed copies of the documents are true and complete copies of the papers originally filed on 23 November 2005. As such, it is proper to accept the presently filed declaration of inventor Offord as having been filed on 23 November 2005 and to **GRANT** applicant's petition at this time.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is **GRANTED**.

A courtesy copy of the decision mailed 21 November 2005 is enclosed.

The "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 05 December 2005 is hereby **VACATED**.

The application will be given an international filing date of 29 October 2003 under 35 U.S.C. 363 and a date of **23 November 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely 1) the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) indicating a 371 date as detailed above and 2) changing the correspondence address for this application to that of customer number 25226.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459

Encl: Copy of decision mailed 21 November 2005.



21 NOV 2005

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www.uspto.gov

Laurie A. Axford
Burns, Doane, Swecker & Mathis, LLP
Suite 400
402 W. Broadway
San Diego, CA 92101-3542

In re Application of
OFFORD
Application No.: 10/534,547
PCT No.: PCT/US03/34435
Int. Filing Date: 29 October 2003
Priority Date: 05 November 2002
Atty. Docket No.: 034214-201
For: ODOR-ABSORBING CELLULOSIC
FIBROUS SUBSTRATES

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 10 May 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventor is required.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294
Fax: (571) 273-0459